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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL
FORM

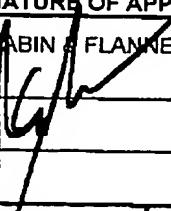
(to be used for all correspondence after Initial filing)

TRANSMITTAL FORM <i>(to be used for all correspondence after Initial filing)</i>		Application Number	10/039,311
		Filing Date	Oct 26, 2001
		First Named Inventor	Clark, Reginald Wayne
		Group Art Unit	2881
		Examiner Name	
Total Number of Pages in This Submission	9	Attorney Docket Number	70625

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Change of Correspondence Address	 Response to Notice to File Missing Parts of Nonprovisional Application (3 Pages)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	 Decision According Status in Serial No. 09/326,168, mailed March 20, 2003 (2 pages)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> CD, Number of CD(s)	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	FITCH, EVEN, TABIN & FLANNERY, by Thomas F. Lebens	
Signature		
Date	April 18, 2003	

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office via 703-872-9318 on this date:

April 18, 2003

Type or printed name	Thomas F. Lebens	Date	April 18, 2003
Signature			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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04/18/2003 11:04 FAX 805 541 2868

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PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL
for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1060)

Complete if Known

Application Number	10/039,311
Filing Date	10/26/2001
First Named Inventor	Clark, et al.
Examiner Name	
Art Unit	2881
Attorney Docket No.	70625

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None Deposit AccountDeposit Account Number
06-1135
Deposit Account Name
FITCH, EVEN, TABIN & FLANNERYThe Commissioner is authorized to: (check all that apply)
 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
EXCEPT ISSUE FEE
 Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051	65 Surcharge – late filing fee or oath	130
1052	50	2052	25 Surcharge – late provisional filing fee or cover sheet	
1053	130	1053	130 Non-English specification	
1812	2,520	1812	2,520 For filing a request for ex parte reexamination	
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action	
1251	110	2251	55 Extension for reply within first month	
1252	410	2252	205 Extension for reply within second month	
1253	930	2253	465 Extension for reply within third month	930
1254	1,450	2254	725 Extension for reply within fourth month	
1255	1,970	2255	985 Extension for reply within fifth month	
1401	320	2401	160 Notice of Appeal	
1402	320	2402	180 Filing a brief in support of an appeal	
1403	280	2403	140 Request for oral hearing	
1451	1,510	1451	1,510 Petition to institute a public use proceeding	
1452	110	2452	55 Petition to revive – unavoidable	
1453	1,300	2453	650 Petition to revive – unintentional	
1501	1,300	2501	650 Utility issue fee (or reissue)	
1502	470	2502	235 Design issue fee	
1503	830	2503	315 Plant issue fee	
1460	130	1460	130 Petitions to the Commissioner	
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)	
1808	180	1806	180 Submission of Information Disclosure Stmt	
8021	40	8021	40 Recording each patent assignment per property (times number of properties)	
1809	750	2809	375 Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375 For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375 Request for Continued Examination (RCE)	
1802	900	1802	900 Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 1060)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Thomas F. Fitch	Registration No. (Attorney/Agent)	38221	Telephone	805.781-2865
Signature				Date	April 18 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Commissioner for Patents
Washington, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/039,311	10/26/2001	Reginald Wayne Clark	70625

22242
FITCH EVEN TABIN AND FLANNERY
120 SOUTH LA SALLE STREET
SUITE 1600
CHICAGO, IL 60603-3406

CONFIRMATION NO. 7387
FORMALITIES LETTER

"OC00000009126255"

Date Mailed: 11/19/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Joseph E. Dunn
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

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A copy of this notice MUST be returned with the reply.

S. Greenwalt

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

FETF 70625

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Clark et al.)
Appln. No.: 10/039,311)
Filed: 10/26/2001)
For: STERILIZATION OF)
PACKAGES AND THEIR)
CONTENTS USING LIGHT)
Group Art)
Unit: 2881)
Examiner: Not Yet Assigned)

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RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed November 19, 2002, requesting the signature of one of the inventors, Joseph E. Dunn, enclosed is a Decision According Status Under 37 CFR § 1.47(a) for Patent Application No. 09/326,168.

In accordance with 37 C.F.R. § 1.63(d)(1), the subject application was accompanied by a copy of a declaration executed by all of the inventors, except Joseph E. Dunn, who has refused to sign a declaration in the subject application. The subject application was also accompanied by a copy of a petition under 37 CFR 1.47(a) submitted in Patent Application No. 09/326,168, a decision

Appln. No. 10/039,311

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on which was pending at the time the subject application was filed.

In accordance with 37 CFR § 1.63(d)(3), enclosed herewith is a copy of the decision on petition granting Applicants' petition under 37 C.F.R § 1.47(a) in Patent Application No. 09/326,168, priority to which is claimed in the subject application under 35 U.S.C. § 120. Joseph E. Dunn has not filed an oath or declaration to join in Patent Application No. 09/326,168.

Thus, having satisfied the requirements of 37 CFR § 1.63(d)(3) as to Joseph E. Dunn, and having satisfied the requirements of 37 CFR § 1.63(d)(1) as to the remaining inventors, the requirements for an oath or declaration under 37 CFR § 1.63 have now been fully satisfied.

This submission is accompanied by the fee set forth in 37 CFR § 1.16(e)

Please charge any fees necessary to this response, including any fees for extensions of time for response needed to assure that the filing of this response is timely, to Deposit Account No. 06-1135.

Appln. No. 10/039,311
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Should there remain any outstanding issues it is respectfully requested the office telephone the undersigned at (805) 781-2865 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,

Thomas F. Lebans
Reg. No. 38,221

Dated: April 18, 2003

Address all correspondence to:

Thomas F. Lebans
FITCH, EVEN, TABIN & FLANNERY
120 South LaSalle Street, Ste. 1600
Chicago, IL 60603
(805) 781-2865